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6	Attorneys for Complainant				
7	BEFORE THE BOARD OF REGISTERED NURSING DEPARTMENT OF CONSUMER AFFAIRS STATE OF CALIFORNIA				
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9	STATE OF C	LALIFORNIA			
10	In the Matter of the Accusation Against:	Case No. 2011-1011			
11	BRENDA GAIL CHRISTIAN	ACCUSATION			
12	2530 Carriage Lane, Apt. 1A Fredericksburg, VA 22401				
13	Registered Nurse License No. 636067				
14	Respondent.				
15	Kespondent.				
16					
17	Complainant alleges:	·			
18	PARTIES				
19	1. Louise R. Bailey, M.Ed., RN ("Complainant") brings this Accusation solely in her				
20	official capacity as the Executive Officer of the Board of Registered Nursing ("Board"),				
21	Department of Consumer Affairs.				
22	Registered Nurse License				
23	2. On or about April 12, 2004, the Board issued Registered Nurse License Number				
24	636067 to Brenda Gail Christian ("Respondent"). The registered nurse license expired on				
25	October 31, 2009, and has not been renewed.				
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ACCUSATION

1.8

### STATUTORY PROVISIONS

- 3. Section 2750 of the Business and Professions Code ("Code") provides, in pertinent part, that the Board may discipline any licensee, including a licensee holding a temporary or an inactive license, for any reason provided in Article 3 (commencing with Code section 2750) of the Nursing Practice Act.
- 4. Code section 118 provides, in pertinent part, that the withdrawal of an application for a license after it has been filed with a board . . . shall not deprive the board of its authority to institute or continue a proceeding against the applicant for the denial of the license upon any ground provided by law or to enter an order denying the license upon any ground.
- 5. Code section 2764 provides, in pertinent part, that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or to render a decision imposing discipline on the license. Under Code section 2811, subdivision (b), the Board may renew an expired license at any time within eight years after the expiration.
  - 6. Code section 2761 states, in pertinent part:

The board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for any of the following:

(a) Unprofessional conduct, which includes, but is not limited to, the following:

(4) Denial of licensure, revocation, suspension, restriction, or any other disciplinary action against a health care professional license or certificate by another state or territory of the United States, by any other government agency, or by another California health care professional licensing board. A certified copy of the decision or judgment shall be conclusive evidence of that action....

# **COST RECOVERY**

7. Code section 125.3 provides, in pertinent part, that the Board may request the administrative law judge to direct a licentiate found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

### FIRST CAUSE FOR DISCIPLINE

# (Disciplinary Action by the Nevada State Board of Nursing)

- 8. Respondent is subject to discipline pursuant to Code section 2761, subdivision (a)(4), on the grounds of unprofessional conduct, in that she was disciplined by the Nevada State Board of Nursing ("Nevada Board"), as follows:
- 9. On or about December 3, 2009, pursuant to a Board Order, in the case entitled *In the Matter of Brenda Christian, Licensed Professional Nurse, Nevada License No. RN57656*, Case No. 0821-09C, the Nevada Board REVOKED Respondent's nursing license.
  - 10. The Nevada Board based its Order on the following facts and admissions:
  - a. On or about August 2009, Respondent was licensed as a Registered Nurse by the Nevada Board of Nursing and was so licensed at all times relevant to the matters stated herein.
  - b. On or about August 2009, Respondent was employed and working as a registered nurse at Renown Health, located in Reno, Nevada. During that time, Respondent failed to document medication administration, including controlled substances, and failed to document observations of a patient who had been placed in four-point restraints.
  - c. On or about August 14, 2009, while employed with Renown Health, Respondent was asked to submit to a random drug screen. Respondent refused to submit to the random drug screen.
  - d. The Nevada Board filed formal disciplinary charges against Respondent and a hearing was set in this matter for November 19, 2009. Respondent did not appear at the hearing.

### SECOND CAUSE FOR DISCIPLINE

#### (Unprofessional Conduct)

11. Respondent is subject to discipline under Code section 2761, subdivision (a), on the grounds of unprofessional conduct, in that Respondent committed acts constituting unprofessional conduct, as more fully set forth in paragraphs 8 through 10, above.

# <u>PRAYER</u> ....

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

- 1. Revoking or suspending Registered Nurse License Number 636067, issued to Brenda Gail Christian;
- 2. Ordering Brenda Gail Christian, to pay the Board of Registered Nursing the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3; and,
  - 3. Taking such other and further action as deemed necessary and proper.

DATED: June	28,	2011	Xau
7/	,		LOUISE R

LOUISE R. BAILEY, M.Ed., RN

Executive Officer

Board of Registered Nursing Department of Consumer Affairs

State of California

Complainant

LA2011600752